

In the Drawings

Please cancel all drawing sheets and replace them with the attached formal drawings marked "Replacement Sheet" in the top margin.

REMARKS

Drawings objections

Responsive to the Examiner's comments, the applicant has marked the previously submitted formal drawings "Replacement Sheet" in the top margin and is resubmitting them.

Response to Election/Restriction requirement

The Examiner has required an election of species and has indicated that the application contains claims directed to the following patentably distinct species:

- 1) Keypad
- 2) Wireless receiver
- 3) Card reader

The applicants respectfully traverse this requirement on the grounds that the indicated "species" are not different species of a "genus." Accordingly a species/genus election is not required or appropriate for this invention. A discussion of this is set forth in greater detail below. However, the applicants are cognizant of the requirement to make a species/claim election, regardless of this traversal and accordingly, make the following provisional election:

Subject to the traversal and arguments below, the applicants elect the Examiner defined species 1, directed to the invention containing the keypad. This keypad "species" is found in claims 4 and 24. The other defined "species," wireless and card reader, are found in claims 5, 6, 25 and 44. The remaining claims, 1-3, 7-23, 26-43 and 45-49 are all believed to be directed to the "genus" of this invention. The applicant

provisionally elects the genus and species claims 1-4, 7-24, 26-43 and 45-49 for prosecution.

The applicants respectfully request the Examiner to withdraw the species election requirement on the grounds that this application does not disclose multiple species of a genus. The present invention relates to a locking system used on vertical doors, such as roll-up doors. Doors of this type are often used in self-storage facilities, and the lock described in the present invention provides benefits to the operators of such facilities.

As set forth in the specification at page 2, line 28 to page 3, line 2, "The lock controller may be provided with a keypad to receive the PIN, a wireless receiver to receive the PIN, a magnetic card reader, or **combinations of the above** and/or other secure systems for entering a secure access key." (emphasis added). Thus, it can be seen that the keypad, wireless receiver and card reader may all be found together on the same lock controller. They might also be found in combination with some "other secure systems for entering a secure access key."


A device constructed according to this invention might include all three of the defined "species." A user of this system might know the keypad PIN entry code, might have a magnetic access card in his wallet and might carry a wireless proximity card, RFID card or smart card (see page 2 line 25 of the specification). He could use any one of the optional methods of access.

When all of the defined "species" may be simultaneously found on the same claimed device, they cannot reasonably be found to be alternative "species" of a single "genus," because it cannot be determined which "species" corresponds to the invention.

The Examiner is requested to note that the argument above is **not** an argument that the defined "species" are not patentably distinct. The argument made above is that the underlying assumption of multiple species does not apply in this case. The claims that are directed to the elected keypad do not exclude the non-elected wireless receiver or the card reader. Thus, there is no species relationship between these three available elements of the invention.

It is respectfully submitted that the application is in a condition where allowance of the entire case is proper. Issuance of a notice of allowance is respectfully solicited.

Respectfully submitted,




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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 2231301450.

Name: Carol M. Thomas Date: November 1, 2005 Signature: 
sar100066000Species Election